

# **BOARD OF BARBERING AND COSMETOLOGY**

## **INITIAL STATEMENT OF REASONS**

Hearing Date: January 4, 2007

Subject Matter of Proposed Regulations: Credit for Special License and Transfer of Training

Section Affected: 950.10 of the California Code of Regulations

### Specific Purpose of each adoption, amendment, or repeal:

Amendment of section 950.10 would allow a licensed apprentice to be able to transfer a maximum of 800 hours (and not more than 50% of the total hours earned) from an apprentice training program, to a school training program. This amendment would be repealed on January 1, 2009.

Upon the repeal date of January 1, 2009, section 950.10 shall state that training received as an apprentice shall not be credited toward a course of training in a school.

### Factual Basis/Rationale

Currently, section 950.10 of Title 16 of the California Code of Regulations provide that training received as an apprentice shall not be credited toward a course of training in a school.

The oversight of the apprenticeship program is conducted by the Board of Barbering and Cosmetology in conjunction with the Department of Industrial Relations, Division of Apprenticeship Standards (DAS). The DAS recently implemented a process where an employer of an apprentice must show proof of workers compensation insurance. It has come to the Board's attention that many employers have previously characterized their apprentices as booth renters/independent contractors, and therefore do not maintain workers compensation insurance. Due to that fact that employers cannot afford workers compensation insurance, employers are terminating licensed apprentices. The apprentice not only loses employment but also the credit hours that they have already completed. This regulation will allow credit for training earned in the apprentice program to be transferred to a school program.

As a result of the DAS decision to immediately implement requiring proof of workers compensation insurance prior to employing an apprentice, the Board knows that individuals currently applying to enroll into the apprentice program are protected from

falling into a situation where they may lose employment and or training. In order to assist those apprentices currently enrolled in the program and being displaced by their employer, the Board believes that implementing the proposed language and incorporating a repeal date will remove a current barrier and assist the apprentice in continuing their educational goals towards licensure in California.

#### Underlying Data

The October 22, 2006, Legislation and Budget Committee meeting minutes.

#### Business Impact

The board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business.

#### Specific Technologies or Equipment

This regulation does not mandate the use of specific technologies or equipment.

#### Consideration of Alternatives

No reasonable alternative to the regulation would be either more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed regulation.